

AN ORDINANCE

97105

AUTHORIZING PAYMENT IN THE AMOUNT OF \$5,505.00 TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 2001-ED-0023, CITY OF SAN ANTONIO VS. HERIBERTO HUERTA, MISAEL HUERTA, ARTURO HUERTA, AND NAEL HUERTA, ET AL FOR THE ACQUISITION OF A PERMANENT EASEMENT AND PAYMENT OF THE AMOUNT OF \$1,309.00 FOR COURT COSTS IN CONNECTION WITH THE W. W. WHITE PHASE I – RIGSBY TO LORD PROJECT IN COUNCIL DISTRICT 2; FOR THE TOTAL SUM OF \$6,814.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

WHEREAS, the City of San Antonio proceeded in Condemnation Cause No. 2001-ED-0023, *City of San Antonio vs. Heriberto Huerta, Misael Huerta, Arturo Huerta and Nael Huerta, Et Al*, to acquire a permanent easement interest in 0.646 acres (28,157 square feet) of land, more or less, being out of and a part of that certain original 1.73 acre tract out of the I. Perez Survey No. 93 and the M. G. de Alaniz Survey No. 20, in Bexar County, Texas, (“Permanent Easement Property”) (Parcel 14802); and

WHEREAS, the Special Commissioners met on December 4, 2002 and awarded the owners the sum of \$5,505.00 for the permanent easement; and

WHEREAS, the City must pay \$1,309.00 for court costs as part of this legal proceeding; and

WHEREAS, the City of San Antonio must deposit the amount of the award and pay the court costs; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1: The budget in Fund 45-460095, 1994 General Obligation Drainage Bonds, shall be revised by reducing Index Code 561258, entitled Unallocated Appropriations, in the amount of \$6,814.00.

SECTION 2: The budget in Fund 45-460003, 1994 General Obligation Drainage Bonds, shall be revised by increasing Index Code 920173, entitled Transfer to 45-546007, in the amount of \$6,814.00. The amount of \$6,814.00 is authorized to be transferred from Fund 45-460003 to Fund 45-546007.

SECTION 3: The budget in Fund 45-546000, 1985 Drainage Bonds, shall be revised by increasing Index Code 129650, entitled Transfer from 45-460003 (45-546007), in the amount of \$ 6,814.00.

SECTION 4: The amount of \$5,505.00 is appropriated in Fund 45-546007, 1985 General Obligation Drainage Bonds, in Index Code 667477, entitled Easements, and is authorized to be encumbered and made payable to Gerry Rickhoff, County Clerk, in connection with the W.W. White Phase I-Rigsby to Lord Project.

SECTION 5: The amount of \$1,309.00 is appropriated in Fund 45-546007, 1985 General Obligation Drainage Bonds, in Index Code 624882, entitled Court Costs, and is authorized to be encumbered and made payable to Gerry Rickhoff County Clerk, in connection with the W.W. White Phase I-Rigsby To Lord Project.

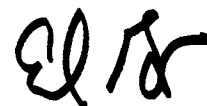
SECTION 6. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and fund numbers as necessary to carry out the purpose of this Ordinance.

SECTION 7. It is officially found, determined and declared that the meeting at which this ordinance is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this ordinance, was given to all as required by the Texas Code Annotated, as amended, Title 5, Chapter 551, Government Code.

SECTION 8. If any part, section, paragraph, sentence, phrase, or word of this ordinance is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this ordinance shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid, or ineffective.

SECTION 9. This ordinance shall be effective on the tenth day after passage.

PASSED AND APPROVED this the 30th day of January, 2003.



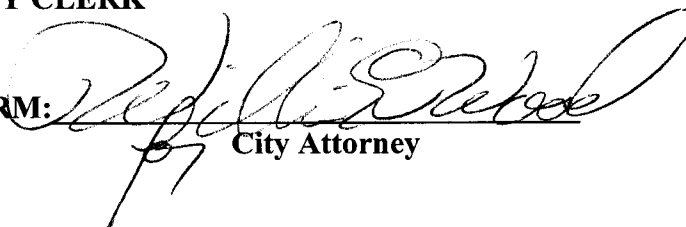
M A Y O R
EDWARD D. GARZA

ATTEST:



CITY CLERK

APPROVED AS TO FORM:



City Attorney